

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: *

AAA IMPORTS, INC. *

Debtor *

Bankruptcy Case No. 10-04048 (BKT)

Chapter 11

**MOTION REQUESTING ORDER APPROVING REJECTION OF UNEXPIRED
LEASE AGREEMENT**

Now comes Epifanio Vidal, S.E. ("Epifanio"), through its undersigned counsel, and very respectfully states and prays:

1. Epifanio is a creditor of and lessor to AAA Imports, Inc. d/b/a Dólar y Algo Extra ("Debtor") of certain non-residential real property located in Yauco, P.R pursuant to an unexpired lease agreement, which expires on January 31, 2011.

2. On May 13, 2010, Debtor filed its chapter 11 bankruptcy petition.

3. On or around June 17, 2010, Debtor surrendered the leased premises to Epifanio. However, Debtor has not obtained an order from the Court allowing Debtor to reject the unexpired lease agreement between Epifanio and Debtor.

4. Debtor's rejection of an unexpired lease agreement under 11 U.S.C. § 365(a) does not take effect until the Court enters an order approving the rejection. *In re Thinking Machines*, 67 F.3d 1021, 1025 (1st Cir. 1995).

5. Epifanio believes that Debtor sought to reject the unexpired lease agreement when it surrendered possession of the leased premises to Epifanio.

However, because the Court has not approved Debtor's rejection of the unexpired lease agreement the same is still in effect.

6. Epifanio hereby requests that an order be entered authorizing Debtor's rejection of the unexpired lease agreement effective on the date that Debtor surrendered the leased premises to Epifanio. If an order authorizing Debtor's rejection of the unexpired lease agreement is not promptly entered, Debtor may be liable to Epifanio for any rent payments that have and will continue to accrue under the unexpired lease agreement.

WHEREFORE Epifanio respectfully requests from the honorable Court that an order be entered deeming Debtor's surrender of the leased premises to Epifanio a rejection by Debtor of the unexpired lease agreement and approving said rejection effective on the date that Debtor surrendered the leased premises to Epifanio.

RESPECTFULLY SUBMITTED.

I hereby certify that on July 8, 2010, I electronically filed a copy of the foregoing motion with the Clerk for the U.S. Bankruptcy Court for the District of P.R. using the CM/ECF system which will send electronic notice to counsel for Debtor and any other interested CM/ECF participants.

In San Juan, P.R. on July 8, 2010.

s/ Eduardo J. Corretjer Reyes
USDC-PR 224113
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